

REMARKS

Claims 1-22 are all the claims currently pending in the application. Claims 19-22 are withdrawn.

Amendments

Claims 1 and 10 are amended to incorporate some of the recitations of claims 9 and 18, respectively. Claims 2, 3, 11, and 12 are amended to improve their form. All claims and amendments are fully supported in the originally-filed application. Entry of these amendments are respectfully requested.

Response to Objection

On page 3 of the Office Action, claim 2 is objected to because the word “control” in line 2 is incorrect.

Applicants respectfully submit that the above amendment to claim 2 obviates this rejection. Reconsideration and withdrawal of the objection are respectfully requested.

Response to Rejections under 35 U.S.C. § 112

On page 2 of the Office Action, claims 1-18 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly being non-enabled.

Specifically, the Examiner asserts that the fuel holder storing the organic fuel does not reasonably provide enablement for the fuel holder supplying the organic liquid fuel to the fuel

electrode or the fuel holder supplying the vapor or mist of the organic liquid fuel to the fuel electrode.

Applicants respectfully submit that the above amendments obviate this rejection, because claims 1 and 10 have been amended to delete both instances of the term “supplies” and to recite that vapor or mist is merely “supplied” from the fuel holder. Claims 2-17 depend from claims 1 or 10, either directly or indirectly.

In view of at least the above, Applicants submit that claims 1-18 are enabled. Reconsideration and withdrawal of the § 112, first paragraph, rejection are respectfully requested.

On page 3 of the Office Action, claim 3 is rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the Examiner asserts that the expression “transforms corresponds” in line 6 of claim 3 is unclear and requires amendment.

Applicants respectfully submit that the above amendment to claim 3 obviates this rejection, because claims 3 has been amended to delete the word “corresponds.”

Reconsideration and withdrawal of the § 112, second paragraph, rejection are respectfully requested.

Response to the Rejection under 35 U.S.C. § 102(b)

On page 4 of the Office Action, claims 1, 2, 7, 8, 10, 11, 16, and 17 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Tatsuya et al (JP 2002-231290) (“Tatsuya”).

Applicants traverse for at least the following reasons.

Tatsuya does not explicitly indicate that methanol is actually converted into mist or vapor.

Tatsuya discloses that the fuel cell is heated by the heat generating parts, the output density of the fuel cell is improved, and the discharge of CO₂ is facilitated by convection flow of the liquid fuel, which is heated by heating the liquid fuel tank.

However, Tatsuya does not disclose features of the presently claimed invention, namely, that the liquid fuel is transformed into vapor or mist and is supplied to the fuel electrode; that the transforming section is included which transforms the liquid fuel into vapor or mist by heating or vibrating; and that the permeation membrane is included for discharging CO₂.

To the extent that there is any doubt that claims 1, 10 and claims dependent thereon distinguish over Tatsuya, which there should not be, Applicants have amended independent claims 1 and 10, which are the only independent claims currently being considered, to incorporate part of the recitations of claims 9 and 18, which are not part of this rejection. Therefore, Applicants respectfully submit that the above amendments obviate this rejection.

Namely, Tatsuya does not appear to disclose “a fuel path which is arranged on a side of said fuel electrode, and is a path that said vapor or said mist supplied from said fuel holder flows thorough to said fuel electrode.”

Therefore, the presently claimed invention is not anticipated or rendered obvious by Tatsuya.

Reconsideration and withdrawal of the § 102(b) rejection of claims 1, 2, 7, 8, 10, 11, 16, and 17 are respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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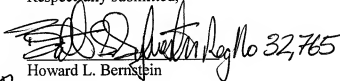
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Respectfully submitted,


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